
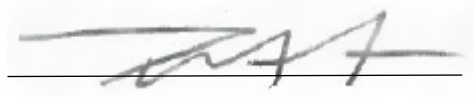


POLICY TITLE: CUSTODY LEVELS		PAGE 1 OF 5
POLICY NUMBER: 18.4		
CHAPTER 18: CLASSIFICATION		
 STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 		PROFESSIONAL STANDARDS: See Section VIII
EFFECTIVE DATE: February 1, 2002	LATEST REVISION: September 2, 2021	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

It is the policy of the Department of Corrections that each committed juvenile resident be assigned a custody level, using Department approved assessment instruments at the resident's Classification Conference, in order to identify an appropriate level of supervision and ensure the safety of staff, residents, and others.

IV. DEFINITIONS

1. Direct supervision - when the staff has continuous, direct personal interaction with a resident and is available to respond immediately, e.g., staff is present in the housing unit.
2. Indirect supervision - when the staff is not physically present but is able to monitor by other means and is available to provide direct supervision, e.g., staff is in a post and is monitoring a housing unit through a video camera.
3. Juvenile community residential facility - housing outside the secure perimeter of Long Creek either on or off grounds in a staff supervised residential setting.
4. Off-grounds activity – activity in the community, other than work, education or public service release, and usually consists of a recreational, e.g., basketball game, educational, e.g., museum trip, or programming activity, e.g., attendance at an A.A. meeting, community service, e.g., clean-up project, or transition activity, e.g. family outing or solo excursion into the community.

V. CONTENTS

- Procedure A: Determination of Custody Level
Procedure B: Types of Custody Levels
Procedure C: Custody Level Reassessment
Procedure D: Levels of Supervision

VI. ATTACHMENTS:

None

VII. PROCEDURES

Procedure A: Determination of Custody Level

1. A newly committed juvenile resident shall be classified as high custody until their Classification Conference.
2. At the Classification Conference, a resident's custody level shall be determined by using an integrated assessment process.
3. A resident's custody level may be subsequently changed upon recommendation of the Unit Treatment Team and approval by the Classification Committee, based on a reassessment process.

Procedure B: Types of Custody Levels

1. At the Classification Conference, a juvenile resident shall be classified as either high, moderate, low, or community custody.

Procedure C: Custody Level Reassessment

1. The Classification Committee shall reassess each juvenile resident's custody level at Quarterly Reviews, Phase Advancement Reviews, or whenever it is recommended by the resident's Unit Treatment Team.

Procedure D: Custody Levels

1. High custody residents:
 - a. shall be housed inside the secure perimeter of Long Creek;
 - b. shall be under escort and direct supervision of staff, volunteers, or student interns at all times while outside the housing unit;
 - c. while in the housing unit shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed fifteen (15) minutes;

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- d. shall be secured in handcuffs and waist chains on transports outside the facility, except in unusual or special circumstances as determined by the Superintendent, or designee;
 - e. are not eligible for a furlough pass/furlough leave, except a special furlough pass/furlough leave in accordance with Department Policy (JF) 20.1, Furlough Pass/Furlough Leave Program;
 - f. are not eligible for work, education, or public service release; and
 - g. are not eligible to participate in an off-grounds activity unless approved by the Superintendent, or designee, and the resident is transported and supervised by at least one facility security staff or a juvenile community corrections officer.
2. Moderate custody residents:
- a. shall be housed:
 - 1) inside the secure perimeter of Long Creek; or
 - 2) in an on-grounds juvenile community residential facility if determined appropriate by the Commissioner, or designee.
 - b. shall be under escort and direct supervision of staff, volunteers, or student interns at all times while outside the housing unit but on facility grounds, unless determined otherwise by the Juvenile Program Manager, or designee;
 - c. while in the housing unit shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed fifteen (15) minutes;
 - d. if housed outside the secure perimeter of Long Creek, shall be eligible to move throughout the housing unit without staff escort;
 - e. shall not necessarily require restraints on transports outside the facility as determined by the Superintendent, or designee;
 - f. are eligible for furlough passes/furlough leaves if they meet the other requirements set out in Department Policy (JF) 20.1, Furlough Pass/Furlough Leave Program;
 - g. are eligible for work, education, or public service release if they meet the other eligibility requirements set out in applicable departmental policy; and
 - h. are eligible to participate in an off-grounds activity if approved by the Superintendent, or designee, and the resident is transported and supervised by at least one facility security staff or a juvenile community corrections officer.

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3. Low custody residents:
- a. shall be housed:
 - 1) inside the secure perimeter of Long Creek; or
 - 2) in a juvenile community residential facility if determined appropriate by the Superintendent, or designee.
 - b. may be under the indirect supervision of staff, volunteers, or student interns or be unsupervised while outside the housing unit but still on facility grounds, if determined appropriate by the Juvenile Program Manager, or designee;
 - c. shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed thirty (30) minutes while in a housing unit with only low and community custody residents;
 - d. shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed (15) fifteen minutes while in a housing unit with high or moderate custody residents;
 - e. if housed outside the secure perimeter of Long Creek, shall be allowed to move throughout the housing unit without staff escort;
 - f. shall not require restraints on transports outside the facility;
 - g. are eligible for furlough passes/furlough leaves if they meet the other requirements set out in Department Policy (JF) 20.1, Furlough Pass/Furlough Leave Program;
 - h. are eligible for work, education, or public service release if they meet the other eligibility requirements set out in applicable departmental policy; and
 - i. are eligible to participate in off-grounds activities if approved by the Juvenile Program Manager, or designee, and the resident is transported and supervised by at least one facility staff, juvenile community corrections officer, or appropriately trained volunteer or student intern.
4. Community custody residents:
- a. shall be housed:
 - 1) in a juvenile community residential facility; or
 - 2) inside the secure perimeter of Long Creek if determined appropriate by the Superintendent, or designee.
 - b. may be under the indirect supervision of staff, volunteers, or student interns or be unsupervised while outside the housing unit but still on facility grounds, if determined appropriate by the Juvenile Program Manager, or designee;
 - c. shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed thirty (30) minutes while in a housing unit with only community custody and low custody residents;

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- d. shall be checked by security staff making visual contact with the resident at staggered intervals not to exceed (15) fifteen minutes while in a housing unit with high or moderate custody level residents;
- e. if housed in a juvenile community residential facility, shall be allowed to move throughout the housing unit without staff escort;
- f. shall not require restraints on transports outside the facility;
- g. are eligible for furlough passes/furlough leaves if they meet the other requirements set out in Department Policy (JF) 20.1, Furlough Pass/Furlough Leave Program;
- h. are eligible for work, education, or public service release if they meet the other eligibility requirements set out in applicable departmental policy; and
- i. are eligible to participate in off-grounds activities unsupervised if approved by the Juvenile Program Manager, or designee, and only if the resident has a furlough pass permitting the activity as set out in Department Policy (JF) 20.1, Furlough Pass/Furlough Leave Program.

VIII. PROFESSIONAL STANDARDS:

None

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